

IT IS SO ORDERED.

**Dated: March 02, 2011
05:55:55 PM**


Kay Woods

Kay Woods
United States Bankruptcy Judge

BK1007061
CLF

UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF OHIO
AT YOUNGSTOWN

IN RE:

James J. Duvall
Renee L. Duvall

Debtors

Case No. 10-42069

Chapter 13
Judge Woods

**AGREED ORDER FOR RELIEF FROM
STAY OF U.S. BANK, N.A. SUCCESSOR
BY MERGER TO THE LEADER
MORTGAGE COMPANY, LLC
SUCCESSOR BY MERGER TO THE
LEADER MORTGAGE COMPANY
(PROPERTY ADDRESS: 436 NORTH
SCHENLEY AVENUE, YOUNGSTOWN,
OH 44509)**

This matter came to be considered on the Motion for Relief from Stay (the "Motion") filed by
U.S. Bank, N.A. successor by merger to The Leader Mortgage Company, LLC successor by merger to

The Leader Mortgage Company ("Movant"), regarding the property located at 436 North Schenley Avenue, Youngstown, OH 44509.

Movant has alleged that good cause exists for granting the Motion and that Debtors, counsel for Debtors, the Chapter 13 Trustee, and all other necessary parties were served with this Motion and with notice of the hearing date for this Motion; and

The parties have entered into an agreement resolving the Motion, **the terms of which are set forth as follows: The post-petition arrearage due as of February 16, 2011, is \$2,099.36, which amount consists of:**

Post Petition Payments:

Amount	Date Due
351.27	November 1, 2010
351.27	December 1, 2010
351.27	January 1, 2011
351.27	February 1, 2011

Post Petition Late Charges:

Amount	Date Due
14.05	November 16, 2010
14.05	December 16, 2010
14.05	January 16, 2011
14.05	February 16, 2011

and \$500.00 for attorney fees associated with the Motion and \$150.00 court costs incurred herein for filing the Motion, less \$11.92 in Debtors' suspense account.

In order to partially cure said post-petition arrearage, Movant is permitted to file a Supplemental Proof of Claim in the amount of \$650.00, which consists of \$500.00 for attorney fees associated with the Motion and \$150.00 for court costs incurred herein for filing the Motion and said post petition arrears of \$0.00 thereby reducing the arrearage to \$1,449.36.

In order to cure the remaining post-petition arrearage, Debtors agree to make the following lump sum payments to Movant in the form of certified funds on or before the dates specified herein as follows:

Stipulated Payments:

Amount	Date Due
241.56	March 15, 2011
241.56	April 15, 2011
241.56	May 15, 2011
241.56	June 15, 2011
241.56	July 15, 2011
241.56	August 15, 2011

Said lump sum payments are in addition to the regular monthly mortgage payments due and owing for said months.

All payments shall be tendered to:

**U.S. Bank Home Mortgage (KY)
4801 Frederica Street
Owensboro, KY 42301**

This payment address is subject to change.

Failure by the Debtors to make any payment described above shall constitute a default.

IT IS THEREFORE, ORDERED:

1. The Debtors shall maintain regular monthly post-petition payments to Movant outside the Chapter 13 plan beginning with a payment due March 1, 2011. Failure by the Debtors to make any payment within **15** days of the date due shall constitute a default.

2. Upon the existence of a default, Movant's counsel may send Debtors and counsel for Debtors a 10-day notice of Movant's intent to file an affidavit and proposed order granting relief from stay.

3. If the default is not cured within that 10-day period, then upon the filing of an affidavit by Movant attesting to the default by the Debtors, an Order shall be entered without further hearing,

terminating the stay imposed by Section 362(a) of the Bankruptcy Code with respect to Movant, its successors and assigns. **The only ground for objection to such an Order shall be that payments were timely made.**

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